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16 Attorneys for Plaintiff

17 UNITED STATES DISTRICT COURT

18 DISTRICT OF NEVADA

19 HEATHER SLOANE,

20 Plaintiff,

21 vs.

22 STATE FARM MUTUAL AUTOMOBILE
23 INSURANCE COMPANY, an insurance
24 company; and DOES 1-25 and XYZ
25 Corporations, inclusive,

26 Defendants.

Case No. 3:19-cv-00648-MMD-WGC

STIPULATED MEMORANDUM

27 The parties hereto, by and through their undersigned counsel, respectfully request the Court
28 for an order extending the discovery deadlines set out in the Stipulated Discovery Plan and
Scheduling Order (ECF 25) by six (6) months.

The parties are cognizant of the Court's comments regarding further extensions and mean
no disrespect by seeking this extension.

1 The parties have conducted a substantial amount of discovery to date. In particular, the
2 parties have taken the in-person depositions of Heather Sloane (two full days), Linda Bucciachio,
3 Ross Golding, M.D., Andrea Tatro, M.D. and Xavier Martinez, DC. Additionally, Steve Altman's
4 deposition is currently scheduled for December 1, 2020. Plaintiff has requested deposition dates
5 for several State Farm representatives. However, because of COVID and State Farm's travel
6 restrictions, the depositions have not been scheduled. The State Farm witnesses are located in
7 Seattle, Washington, which is now under new COVID shutdowns.

8 In addition, the parties have undertaken the following written discovery: Plaintiff Heather
9 Sloane's First Set of Interrogatories to Defendant State Farm Mutual Automobile Insurance
10 Company, Plaintiff Heather Sloane's First Request for Production of Documents, Defendant's
11 First Request for Production of Documents to Plaintiff, Defendant's First Set of Interrogatories to
12 Plaintiff, Defendant's Second Request for Production of Documents and numerous records
13 subpoenas. Plaintiff has provided five (5) supplemental document and witness disclosures and
14 Defendant has provided sixteen (16) supplements.

15 Due to COVID restrictions, State Farm Insurance, rightly so, has indicated that its
16 representatives involved in the subject UIM claim cannot be deposed in person. Only remote
17 depositions will be allowed. Certainly, the parties are familiar with Zoom. However, the
18 depositions of the State Farm representatives do not lend themselves to being conducted remotely,
19 as the depositions will likely involve a large number of exhibits, as this case is document intensive.
20 Ms. Sloane's medical records comprise some 2,000 pages and State Farm's claims file is
21 approximately 1,500 pages. It would be extremely difficult for both parties to do deal with these
22 records over a television screen.

23 Neither the Plaintiff nor the Defendant will be prejudiced by the extension. In fact, it will
24 ultimately be of assistance in the presentation of the case at trial. If the parties are required to
25 proceed on the schedule, which has a discovery cutoff in March 2021, there is no indication that
26 the case can go to trial in the foreseeable future. Additionally, the parties are in preliminary
27 discussions regarding a possible mediation with the Honorable Carla Baldwin, the magistrate judge
28 that is not assigned to this case.

1 This is an unprecedented time in our nation's history. Many states have enacted self-
 2 quarantine for visitors of up to fourteen (14) days. It is unknown until we take the first depositions
 3 of State Farm employees where other potential witnesses may reside. The requirements of the
 4 different states change regularly. Most reports indicate the travel restrictions will be lifted in the
 5 spring, thus allowing in-person depositions.

6 Counsel for both parties are cognizant of the Court's desire to move cases along but in this
 7 unique situation we ask the Court's indulgence. Counsel have been attentive to this case. We have
 8 met and discussed the case in person and on the telephone on multiple occasions. We have not
 9 been remiss in the Court's imposed discovery requirements.

10 For the reasons stated, we respectfully ask the Court to continue discovery deadlines in this
 11 matter for six (6) months from its current discovery cut-off of March 25, 2021.

12 **DATED** this 19th day of November, 2020.

13
 14 **ROSE LAW OFFICE**

15 /s/ Sean Rose

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21 Attorney for Defendant

22
 23
 24 **ORDER**

25 There shall be no further extensions granted.

26 IT IS SO ORDERED.

27 DATED: November 24, 2020.

William G. Cobb

UNITED STATES MAGISTRATE JUDGE